

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

MARYLAND ELECTRICAL
INDUSTRY HEALTH FUND, et. al.,

*

Plaintiffs,

*

v.

Civil Action No. DLB-21-886

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GRADCON, INC.

*

Defendant.

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* * * * *

JUDGMENT BY DEFAULT PURSUANT TO RULE 55
OF THE FEDERAL RULES OF CIVIL PROCEDURE

Plaintiffs Maryland Electrical Industry Health Fund, Maryland Electrical Industry Pension Fund, Maryland Electrical Industry Severance and Annuity Fund, Maryland Electrical Industry Joint Apprenticeship and Training Committee, National Labor Management Cooperation Committee, Maryland Electrical Industry Labor Management Cooperation Committee, Maryland Chapter, National Electrical Contractors Association, Inc., and Local Union No. 307, International Brotherhood of Electrical Workers, AFL-CIO brought this ERISA action to recover delinquent fund contributions, liquidated damages, interest, attorneys' fees, and costs from defendant Gradcon, Inc., an employer obligated to make fund contributions on behalf of its participating employees. ECF 1. Defendant Gradcon Inc. was properly served with the Summons and Complaint on July 9, 2021. ECF 9. An entry of default for want of answer or other defense was made on September 7, 2021 as to Gradcon, Inc., for failure to plead or otherwise defend. ECF 14. Plaintiffs' allegations, which are unopposed and accepted as true, establish Gradcon, Inc.'s liability, and the amount of attorneys' fees and costs they seek is reasonable. Therefore, it is this 22nd day of September, 2021, by the United States District Court for the District of Maryland,

ORDERED that Plaintiffs' motion for default judgment, ECF 13, IS GRANTED;
ORDERED AND ADJUDGED that judgment by default is entered in favor of the Plaintiffs and against Gradcon, Inc. in the total amount of \$44,580.57, which represents delinquent

contributions, liquidated damages, interest, attorneys' fees and costs as set forth in the Plaintiffs' Motion for Judgment by Default and its accompanying documents. This judgment shall be apportioned among the Plaintiffs as follows:

Judgment by default is entered in favor of Maryland Electrical Industry Health Fund against Gradcon, Inc. in the amount of \$21,778.13, which consists of \$7,400.25 in delinquent contributions due and owing for the months of February, March and April, 2021; \$9,999.16 in liquidated damages on delinquent and late-paid contributions for the months of February, May, June, September, October and December, 2016, January, March, April and December, 2017, January, 2018, January, April, May, June and December, 2019, January, February, March, April, May, June, July, August, September, October, November and December, 2020, and January, February, March and April, 2021; \$1,533.05 in interest on delinquent and late-paid contributions for the months of May, June, and December, 2019, January, February, March, April, May, June, July, August, September, October, November and December, 2020, and January, February, March and April, 2021; and \$2,845.67 in attorneys' fees and costs;

Judgment by default is entered in favor of Maryland Electrical Industry Pension Fund against Gradcon, Inc. in the amount of \$13,722.99, which consists of \$4,192.50 in delinquent contributions due and owing for the months of February, March and April, 2021; \$5,804.22 in liquidated damages on delinquent and late-paid contributions for the months of February, May, June, September, October and December, 2016, January, March, April and December, 2017, January, 2018, January, April, May, June and December, 2019, January, February, March, April, May, June, July, August, September, October, November and December, 2020, and January, February, March and April, 2021; \$880.60 in interest on delinquent and late-paid contributions for the months of May, June, and December, 2019, January, February, March, April, May, June, July, August, September, October, November and December, 2020, and January, February, March and April, 2021; and \$2,845.67 in attorneys' fees and costs;

Judgment by default is entered in favor of Maryland Electrical Industry Severance and Annuity Fund against Gradcon, Inc. in the amount of \$7,155.77, which consists of \$1,664.16 in delinquent contributions due and owing for the months of February, March and April, 2021; \$2,299.43 in liquidated damages on delinquent and late-paid contributions for the months of February, May, June, September, October and December, 2016, January, March, April and December, 2017, January, 2018, January, April, May, June and December, 2019, January, February, March, April, May, June, July, August, September, October, November and December, 2020, and January, February, March and April, 2021; \$346.51 in interest on delinquent and late-paid contributions for the months of May, June, and December, 2019, January, February, March, April, May, June, July, August, September, October, November and December, 2020, and January, February, March and April, 2021; and \$2,845.67 in attorneys' fees and costs;

Judgment by default is entered in favor of Maryland Electrical Industry Joint Apprenticeship and Training Committee against Gradcon, Inc. in the amount of \$700.64, which consists of \$686.98 in delinquent contributions due and owing for the months of February, March and April, 2021; \$6.83 in liquidated damages on delinquent contributions for the months of February, March and April, 2021; and \$6.83 in interest on delinquent contributions for the months of February, March and April, 2021;

Judgment by default is entered in favor of National Labor Management Cooperation Committee against Gradcon, Inc. in the amount of \$70.07, which consists of \$9.64 for delinquent contributions due and owing for the months of February, March and April, 2021; \$60.00 in liquidated damages on delinquent contributions for the months of February, March and April, 2021; and \$0.32 in interest on delinquent contributions for the months of February, March and April, 2021;

Judgment by default is entered in favor of Maryland Electrical Industry Labor Management Cooperation Committee against Gradcon, Inc. in the amount of \$119.49, which consists of \$87.75 for delinquent contributions for the months of February, March and April, 2021; \$30.00 in liquidated damages on delinquent contributions for the months of February,


March and April, 2021; and \$1.74 in interest on delinquent contributions for the months of February, March and April, 2021;

Judgment by default is entered in favor of Maryland Chapter, National Electrical Contractors Association, Inc. against Gradcon, Inc. in the amount of \$99.44, which consists of \$97.50 for delinquent contributions for the months of February, March and April, 2021; and \$1.94 in interest on delinquent contributions for the months of February, March and April, 2021;

Judgment by default is entered in favor of Local Union No. 307, International Brotherhood of Electrical Workers, AFL-CIO against Gradcon, Inc. in the amount of \$934.19, which consists of \$915.98 in delinquent remittances due and owing for the months of February, March and April, 2021; and \$18.21 in interest on delinquent contributions for the months of February, March and April, 2021;

If further action by Plaintiffs to enforce this judgment is necessary, Plaintiffs may apply to the court in which enforcement is sought for further reasonable attorneys' fees and costs; and

The Clerk is DIRECTED to close this case.



Deborah E. Boardman
United States District Judge